



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance*

One Ashburton Place, Boston 02108

727-8352

July 13, 1984

AO-84-09

Mr. David A. Medeiros
Chairman
Waltham Democratic City Committee
51 Tudor Street
Waltham, MA 02154

Dear Mr. Medeiros:

This letter is in response to your recent request for an advisory opinion relative to G.L. c. 55 and its application to the following factual situation.

You have stated that the treasurer of the Waltham Democratic City Committee works in an office of the Massachusetts Department of Environmental Quality Engineering. She is under the direct supervision of the Commonwealth in her job capacity but is paid by the New England Water Pollution Control Commission, which is described by its comptroller as an interstate compact agency organized under congressional mandate. The agency contracts with the Commonwealth for services and personnel for which the Commonwealth is charged, thereby providing the state with personnel it could not access through its own civil service apparatus but could through the contracting process. The state provides the program plan and facilities.

Based on the above, it is my opinion that this individual is a person employed for compensation by the Commonwealth. She is subject to the supervision of the Commonwealth in her job capacity and her services are ultimately paid for by the state through a contracting process.

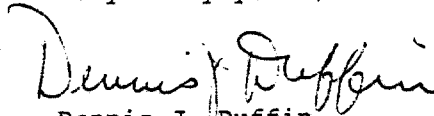
As a person employed for compensation by the state, she is subject to Section 13 of Chapter 55. Therefore she may not "directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees." In my opinion, therefore, a person employed for compensation by the Commonwealth or by any county, city or town may not be treasurer of a political committee since the statutory duties imposed on the office of treasurer requires the receipt of political contributions.

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In conclusion, Chapter 55 prohibits the above described, individual from being Treasurer of the Waltham Democratic City Committee.

This opinion has been rendered solely on the basis of facts as represented by you.

Very truly yours,


Dennis J. Duffin
Director

DJD/bva